

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION**

MDL No. 1456

**Civil Action Nos. 1:07-cv-10270-PBS
 1:01-cv-12257-PBS**

**This filing relates to:
State of Ohio v. Dev, Inc., et al.,
Case No. 1:07-cv-10270-PBS**

Judge Patti B. Saris

**JOINT NOTICE CONCERNING THE HEARING ON
THE STATE OF OHIO'S UNOPPOSED MOTION TO LIFT STAY**

The State of Ohio and Abbott Laboratories, Inc. ("Abbott") wish to apprise the Court that the Motion of State of Ohio To Lift Stay (the "Motion") filed on March 28, 2007, is unopposed. Abbott filed a response to the Motion on April 11, 2007, in part to apprise the Court of Abbott's position regarding the current procedural posture of this case. Abbott, however, did not, and does not, oppose the Motion. No other defendant filed a response to the Motion. Because the Motion remains unopposed, the hearing on the Motion, which is set for June 11, 2007, is not necessary.

However, if the Court wishes counsel in the Ohio case to appear on June 11 to provide information about the case or its status, counsel would be happy to do so. Counsel will await the Court's instruction.

Dated: May 30, 2007

Respectfully Submitted,

/s/ Robert Heuck II (per e-mail authorization)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was filed with the Court's ECF System this 30th day of May 2007, which automatically results in electronic service upon all counsel of record.

/s/ Toni-Ann Citera